

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

TOBY L. LANG, Plaintiff, vs. FRANK J. BISIGNANO, Commissioner of Social Security; Defendant.	4:24-CV-04137-VLD ORDER AMENDING ORDER GRANTING COSTS
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Previously, plaintiff sought an award of attorneys fees and costs as the prevailing party, seeking the sum of \$405 as reimbursement for the filing fee. Docket No. 17. Plaintiff had not previously paid the filing fee as he had sought and received *in forma pauperis* status. Docket Nos. 2 & 6. In its response, defendant agreed to pay the requested \$405 filing fee. Docket No. 17. The court signed defendant's proposed order directing defendant to pay plaintiff \$405 as reimbursement for the cost of the filing fee. Docket No. 20. Yesterday, the plaintiff paid to the court \$405 for the filing fee in this matter. See Docket entry immediately after Docket No. 20.

However, the court's order was in error. When a plaintiff is granted IFP status, the filing fee is only \$350. In all other cases, the filing fee is \$405. Therefore, plaintiff should have sought only \$350 in costs for the filing fee and

this court should only have granted plaintiff \$350 in costs. Accordingly, it is hereby

ORDERED that the clerk of court shall refund to defendant the excess sum of \$55.

Dated July 1, 2025

BY THE COURT:



VERONICA L. DUFFY
UNITED STATES MAGISTRATE JUDGE